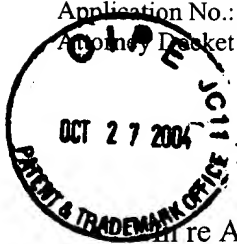


Application No.: 09/828,444
Attorney Docket No.: 20807-0003
(55,279/20786)



AF
IFW
3621

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: AVALLONE et al. :

Application No.: 09/828,444 : Group Art Unit: 3621

Filed: April 6, 2001 : Examiner: F. Backer

For: METHODS AND SYSTEMS FOR PROVIDING PERSONALIZED INFORMATION
TO USERS IN A COMMERCIAL ESTABLISHMENT

APPEAL BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Appeal Brief is being filed in triplicate and within two months from the Notice of Appeal submitted August 23, 2004 pursuant to 37 C.F.R. §41.37(a). This Appeal Brief is being submitted in response to a Final Office Action dated April 7, 2004 and a First Advisory Action dated July 28, 2004.

Appellant hereby authorizes the Appeal Fee of \$340 and any other charges necessary for consideration of this appeal to be charged to Deposit Account No. 50-1059. An accompanying Fee Transmittal is provided with this Appeal Brief authorizing the charge of the above fees to Deposit Account No. 50-1059.

1. ***REAL PARTIES IN INTEREST***

The real parties of interest in this pending application are Koninklijke Ahold NV, Inc. of Zaandam, Netherlands and Cuesol, Inc. of 1212 Hancock Street, Quincy, Massachusetts, 02169, both of whom are an Assignee of an inventor's interest, which assignments have been duly recorded in the United States Patent and Trademark Office.

10/28/2004 HALI11 00000040 501059 09828444

01 FC:1402 340.00 DA

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	Application Number	09/828,444
	Filing Date	4/6/2001
	First Named Inventor	AVALLONE et al.
	Art Unit	3621
	Examiner Name	F. Backer
Attorney Docket Number		20807-0003

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard; Certificate of Mailing
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

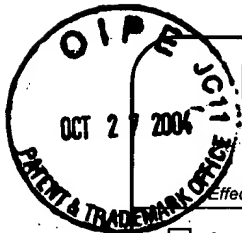
Firm or Individual name	McNees Wallace & Nurick LLC Brian T. Sattizahn
Signature	
Date	October 25, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Patricia L. Ballantyne		
Signature		Date	October 25, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



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PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 340

Complete if Known

Application Number 09/828,444
Filing Date 4/6/2001
First Named Inventor AVALLONE et al.
Examiner Name F. Backer
Art Unit 3621
Attorney Docket No. 20807-0003

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order

☒ Deposit Account:

Deposit
Account
Number 50-1059

Deposit
Account
Name McNees Wallace & Nurick LLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims - ** = X =
Independent Claims - ** = X =
Multiple Dependent X =

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	340.00
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 340

SUBMITTED BY

Complete (if applicable)

Name (Print/Type) Brian T. Sattizahn Registration No. (Attorney/Agent) 46,401 Telephone (717) 232-8000
Signature *Brian T. Sattizahn* Date October 25, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

2. ***RELATED APPEALS AND INTERFERENCES***

Appellant, Appellant's legal representative and Assignees do not know of any directly related co-pending applications or any other appeals or interferences that will directly affect or be directly affected by or have a bearing on the Board of Patent Appeals and Interference's decision in this pending appeal.

3. ***STATUS OF CLAIMS***

Claims 1-43 have been canceled and claims 44-80 are under final rejection. Claims 44-80 are being appealed. A clean copy of the appealed claims (claims 44-80) is attached hereto in Appendix I.

4. ***STATUS OF AMENDMENTS***

The Examiner refused entry of amendments to independent claims 44 and 68 submitted by Appellant in a Response under 37 C.F.R. §1.116 dated July 7, 2004, stating that the proposed amendments raised new issues that would require further consideration and/or search. However, the Examiner provided no further explanation as to why the amendments would require further consideration and/or search.

5. ***SUMMARY OF CLAIMED SUBJECT MATTER***

Independent claim 44 recites a system 100 for providing personalized information to a user in a commercial establishment, the system 100 comprising: at least one database 71-81 storing information related to a user (*See e.g.*, Specification at page 15, line 18 to page 16, line 5 and FIGs. 1B and 3); a portable display unit 10 operated by a user in a commercial establishment (*See e.g.*, Specification at page 13, line 14 to page 14, line 11 and FIGs. 1B and 3), the portable display 10 unit having a unique identifier (*See e.g.*, Specification at page 19, lines 17-24), and the portable display unit 10 comprising a transceiver 14, at least one database, a user interface 12, 24, a display screen 12, a microprocessor 16, and at least one program executable by the microprocessor 16 to enable the portable display unit 10 to receive, store, and display information to a user in a commercial establishment (*See e.g.*, Specification at page 14, line 12 to

page 15, line 13 and at page 19, lines 10-11 and FIG. 2); a location tracking system 45 to determine a location of the portable display unit 10 in a commercial establishment (*See e.g.*, Specification at page 23, lines 8-14 and FIGs. 1A and 4); a server computer 30, the server computer 30 being in communication with the location tracking system 45 and the at least one database 71-81 (*See e.g.*, Specification at page 16, lines 6-13 and FIGs. 1A and 3) and the server computer 30 being configured to generate personalized information for a user in a commercial establishment based on the location of the portable display unit 10 and the information related to a user stored in the at least one database 71-81 (*See e.g.*, Specification at page 26, line 23 to page 27, line 4); and at least one transceiver 55 in communication with the server computer 30 for transmitting the personalized information generated by the server computer 30 to the portable display unit 10 (*See e.g.*, Specification at page 16, lines 6-13 and FIG. 1A).

Independent claim 68 recites a method of providing personalized information to a user in a commercial establishment, comprising the steps of: storing information related to a user in at least one database 71-81 (*See e.g.*, Specification at page 15, line 18 to page 16, line 5 and FIGs. 1B and 3); determining a location of a user in a commercial establishment with a location tracking system 45 (*See e.g.*, Specification at page 25, line 16 to page 26, line 22 and FIG. 4); generating personalized information for a user in a commercial establishment based on the location of a user in a commercial establishment and the information related to a user stored in the at least one database 71-81 (*See e.g.*, Specification at page 26, line 23 to page 27, line 4); and transmitting the generated personalized information to a portable display unit 10 operated by a user in a commercial establishment (*See e.g.*, Specification at page 16, lines 6-13 and FIG. 1A), the portable display unit 10 being assigned a unique identification signal and having a transceiver 14, at least one database, a user interface 12, 24, a display screen 12, a microprocessor 16, and at least one program executable by the microprocessor 16 to enable the portable display unit to receive, store, and display the personalized information to a user in a commercial establishment (*See e.g.*, Specification at page 14, line 12 to page 15, line 13 and at page 19, lines 10-24 and FIG. 2).

Dependent claim 45 includes the portable display unit comprises a user identification system to determine an identity of a user operating the portable display unit (*See e.g.*,

Specification at page 18, lines 7-15); and the server computer 30 is configured to generate personalized information for an identified user based on the location of the portable display unit 10, the identity of the user and the information related to a user stored in the at least one database 71-81 (*See e.g.*, Specification at page 26, line 23 to page 27, line 4).

Dependent claim 47 includes the user identification system comprises a substrate reader 11, and the substrate reader 11 is configured to obtain identifying information on the user from a loyalty card 25 provided to the substrate reader 11 by the user and dependent claim 72 includes the step of identifying a user includes reading a loyalty card 25 of a user with the portable display unit 10. *See e.g.*, Specification at page 18, lines 8-10 and FIG. 2.

Dependent claim 48 includes the user identification system includes the user interface 12, 24 of the portable display unit 10, the user interface 12, 24 being configured for a user to enter a personal identification number and associated password into the portable display unit 10 and dependent claim 73 includes the step of identifying a user includes: entering, by a user, a personal identification number and associated password into the portable display unit 10; and authenticating the personal identification number and associated password entered by a user. *See e.g.*, Specification at page 18, lines 10-11.

Dependent claim 49 includes the personalized information includes a personalized shopping list and dependent claim 76 includes the step of transmitting the generated personalized information to a portable display unit 10 includes transmitting a personalized shopping list to a portable display unit 10. *See e.g.*, Specification at page 13, lines 14-19.

Dependent claim 50 includes the personalized information further includes information on products on the personalized shopping list that are located in proximity to the location of the portable display unit 10 and dependent claim 77 includes the step of transmitting the generated personalized information to a portable display unit 10 includes transmitting information on products on the personalized shopping list that are located in proximity to the location of the portable display unit 10. *See e.g.*, Specification at page 14, lines 1-2.

Dependent claim 54 includes the information related to a user includes a shopping history of the identified user. *See e.g.*, Specification at page 17, lines 25-26.

Dependent claim 55 includes the location tracking system further comprises: at least one receiver 42 for receiving a unique identifier transmitted by the portable display unit 10; a position calculating system 40 for calculating position data relating to a location of the portable display unit 10 in a commercial establishment using the unique identifier of the portable display unit 10 received by the at least one receiver 42; and at least one controller 50 for transmitting position data relating to the location of the portable display unit 10 generated by the position calculating system 40 to the server computer 30 and dependent claim 69 includes the step of determining a location of a user in a commercial establishment includes the steps of: receiving the unique identification signal of the portable display unit 10 operated by a user; and calculating the location of the portable display unit 10 using the received unique identification signal of the portable display unit 10. *See e.g.*, Specification at page 24, lines 1-13 and FIGs. 1A and 4).

Dependent claim 56 includes the position calculating system 40 calculates the position data relating to the location of the portable display unit 10 in a commercial establishment by at least one of biangulation techniques or triangulation techniques and dependent claim 70 includes the step of calculating the location of the portable display unit 10 includes calculating the location of the portable display unit 10 by one of biangulation techniques and triangulation techniques using the received unique identification signal. *See e.g.*, Specification at page 25, lines 10-15 and FIGs. 5A-5C.

Dependent claim 57 includes the unique identifier of the portable display unit 10 includes a radio frequency (RF) identification signal and dependent claim 58 includes the unique identifier of the portable display unit 10 includes an infrared identification signal. *See e.g.*, Specification at page 24, lines 22-24.

Dependent claim 59 includes the at least one receiver 42 includes a plurality of transponders 46 located at discrete locations throughout a commercial establishment and dependent claim 60 includes the at least one receiver 42 includes a plurality of transceivers 46

located at discrete locations throughout a commercial establishment. *See e.g.*, Specification at page 24, lines 6-13 and FIGs. 1A and 4.

Dependent claim 62 includes the portable display unit 10 comprises a scanning device 23 and the scanning device 23 is configured to read product barcodes scanned by the identified user (*See e.g.*, Specification at page 15, lines 1-2 and FIG. 2).

Dependent claim 65 includes the at least one transceiver 55 transmits the personalized information to the portable display unit 10 as a web page using hypertext markup language and dependent claim 80 includes the step of transmitting the generated personalized information to a portable display unit 10 includes transmitting the personalized information to the portable display unit 10 as a web page using hypertext markup language. *See e.g.*, Specification at page 23, lines 24-27.

Dependent claim 66 includes the server computer 30 is configured to permit a user to access the Internet using the portable display unit 10 (*See e.g.*, Specification at page 17, lines 11-23 and FIGs. 1A and 1B).

6. ***GROUND OF REJECTION TO BE REVIEWED ON APPEAL***

Whether claims 44-80 are anticipated under 35 U.S.C. § 102(e) by Drysdale et al. (U.S. Patent Application Publication No. 2003/0021242 A1).

7. ***ARGUMENT***

A. Discussion of Sole Ground of Rejection.

Ground of Rejection - Whether claims 44-80 are anticipated under 35 U.S.C. § 102(e) by Drysdale et al. (U.S. Patent Application Publication No. 2003/0021242 A1).

Drysdale, as understood, is directed to a method and system for providing a targeted electronic communication to a personal wireless device user when the personal wireless device enters the proximity of a commercial facility. The method includes the steps of storing user

specific information in a storage location, providing the personal wireless device with a transceiver device, recognizing the presence of the personal wireless device transceiver when the personal wireless device is within a predetermined distance from the facility communication system, sending a request for user specific information from the facility communication system to the personal wireless device, retrieving the user specific information, sending the user specific information from the personal wireless device to the facility communication system, comparing the user specific information to predetermined criteria (e.g., current inventory levels) and sending a targeted electronic communication (coupon or advertisement) to the personal wireless device corresponding to the user specific information.

With regard to independent claims 44 and 68, the Examiner stated:

4. As per claim 44 and 68, Drysdale et al teach a system (*facility communication system, fig 1*) for providing personalized information (*targeted electronic communication*) to a user (*user, 22*) in a commercial establishment (*commercial establishment, fig 1*), the system comprising at least one database (*storage location 42*) storing information related to a user, a portable display unit (*personal wireless device, 12*) operated by a user in a commercial establishment, the portable display unit having a unique identifier, and the portable display unit comprising a transceiver (*transceiver device 14*) at least one database, a user interface, a display screen, a microprocessor, and at least one program executable by the microprocessor to enable the portable display unit to receive, store, and display information to a user in a commercial establishment (*see figs 1, paragraphs 0025-0032*), a location tracking system (*sensing device 20*) to determine (*sense*) a location (*approximate distance*) of the portable display unit in a commercial establishment (*see fig 1, paragraphs 0026-0027*), a server computer (*communication system, 18*), the server computer being in communication with the location tracking system and the at least one database and the server computer being configured to generate personalized information (*user specific information 40*) for a user in a commercial establishment based on the location (*proximity*) of the portable display unit and the information related to a user stored in the at least one database; and at least one transceiver in communication with the server computer for transmitting the personalized information generated by the server computer to the portable display unit (*see paragraphs 0031, 0032*).

In contrast, independent claim 44 recites a system for providing personalized information to a user in a commercial establishment and independent claim 68 recites a method of providing personalized information to a user in a commercial establishment, each as described in greater

detail above. Dependent claims 46, 51-53, 61, 63, 64, 67, 71, 74, 75, 78 and 79 recite additional subject matter and depend from independent claims 44 and 68.

To begin, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.’ *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).” *See* Manual of Patent Examining Procedure, 8th Edition, Revision 2 (MPEP), Section 2131. In addition, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.’ *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).” *See* MPEP, Section 2131.

Several of the features recited by Appellant in independent claims 44 and 68 are not taught or suggested by Drysdale. First, Drysdale does not teach or suggest that the portable display unit has a unique identifier or is assigned a unique identifying signal as recited in independent claims 44 and 68. The personal wireless device in Drysdale does not have a unique identifier and only requires a transceiver that is recognizable by the sensor device. *See* Drysdale, paragraph 0026, lines 5-8. After the transceiver is recognized, a “handshaking” process is commenced and which, as described, does not involve the use of a unique identifier. *See* Drysdale, paragraph 0027, lines 9-19. In the final office action, the Examiner did not specifically identify any portion of Drysdale that would teach the use of the unique identifier as recited by Appellant. Thus, since Drysdale does not disclose that the personal wireless device has a unique identifier, only a general transceiver that can probably be used in multiple wireless devices, Appellant submits that Drysdale cannot anticipate Appellant’s independent claims 44 and 68.

Next, Drysdale does not teach or suggest a location tracking system or determining the location of a user as recited by Appellant in independent claims 44 and 68. The system in Drysdale does not determine the location of the user or the user’s corresponding personal wireless device, only when the personal wireless device is a predetermined distance from the communication system. *See* Drysdale, paragraph 0026, lines 5-10. As such, the system in Drysdale is not able to determine where the user/personal wireless device is located with respect to the communication system, only that the user/personal wireless device is within the predetermined distance to the communication system. This is in stark contrast to the present

invention as recited in independent claims 44 and 68, which can determine the location (position) of the user/portable display unit in a commercial establishment. (Emphasis added.) The system in Drysdale cannot determine the location of a user in the facility, only that the user has entered the facility, assuming, of course, that the predetermined distance from the communication system for communicating with the personal wireless device corresponds to the distance from the communication system to the entrance of the facility. Once, the user has entered the facility, the system in Drysdale is not able to determine where in the facility that the user is located. In addition, the system in Drysdale is not concerned with where a user is located in the commercial establishment, only that the user receives an electronic communication upon entering the store. *See* Drysdale, paragraphs 0008 and 0009. Furthermore, the predetermined distance for the personal wireless device to be from the communication system can be from 0m to 1500m. *See* Drysdale, paragraph 0026, lines 11-12. At the disclosed distances, the user/personal wireless device in Drysdale can be located in almost infinite number of different locations or positions and still communicate with the communication system. Even at the optimal range of 0m to 50m disclosed in Drysdale in paragraph 0026, the system in Drysdale cannot determine the location of the user in the commercial establishment.

The Examiner has attempted to characterize the sensing device (20) in Drysdale as being a location tracking system and states that the sensing device can sense an approximate distance of the personal wireless device. Appellant respectfully disagrees with the Examiner's characterization. The sensing device in Drysdale cannot determine an approximate distance of the personal wireless device, only that the personal wireless device has entered its range of coverage. In other words, the sensing device in Drysdale cannot distinguish between a personal wireless device at 50m and a personal wireless device at 100m, as long as both are in the communication system's range. Further, even if the sensing device could determine a distance, the sensing device is not able to determine where in a 360 degree circumference surrounding the sensing device that the personal wireless device is located. Thus, since Drysdale does not disclose a location tracking system or determining the location of a user, Appellant submits that Drysdale cannot anticipate Appellant's independent claims 44 and 68.

Finally, Drysdale does not teach or suggest generating personalized information for a user in a commercial establishment based on the location of a user in a commercial establishment

and the information related to a user stored in the at least one database as recited by Appellant in independent claims 44 and 68. The system in Drysdale, as discussed above, compares user specific information to predetermined criteria and then sends an electronic communication corresponding to the user specific information. *See* Drysdale, paragraph 0032, lines 8-15. Nowhere in Drysdale is it discussed that the user's location in the facility is used to determine the information to send to the user. A primary reason for this is that the system in Drysdale cannot determine the location of the user. The sensing device and transceiver combination in Drysdale is used to determine when to send an electronic communication and not to determine what information to send. The Examiner has been asked to specifically identify the passage in Drysdale that the Examiner believes teaches the limitation, but the Examiner has not yet identified any specific passage in Drysdale that discusses determining what information to send to the user in response to the location of the user. Thus, since Drysdale does not disclose generating personalized information based on the location of the user, Appellant submits that Drysdale cannot anticipate Appellant's independent claims 44 and 68.

Thus, since Drysdale does not teach or suggest all of the limitations recited in independent claims 44 and 68, Appellant respectfully submits that Drysdale does not anticipate Appellant's invention as recited in independent claims 44 and 68.

Therefore, for the reasons given above, independent claims 44 and 68 are believed to be distinguishable from Drysdale and therefore are not anticipated nor rendered obvious by Drysdale.

Dependent claims 45-67 and 69-80 are believed to be allowable as depending from what are believed to be allowable independent claims 44 and 68 for the reasons given above. In addition, claims 45, 47-50, 54-60, 62, 65, 66, 69, 70, 72, 73, 76, 77 and 80 recite further limitations that distinguish over the applied art.

For the reasons provided below, it is submitted that claims 45, 47-50, 54-60, 62, 65, 66, 69, 70, 72, 73, 76, 77 and 80 recite further limitations that distinguish over the applied art.

With regard to claim 45, which recites that the portable display unit comprises a user identification system to determine an identity of a user operating the portable display unit, the Examiner has stated:

5. As per claim 45, 71, Drysdale et al teach a system for providing personalized information wherein the portable display unit comprises a user identification system to determine an identity of a user operating the portable display unit; and the server computer is configured to generate personalized information for an identified user based on the location of the portable display unit, the identity of the user and the information related to a user stored in the at least one database (see paragraphs 0031, 0032).

In response, Drysdale, as understood by Appellant, does not teach or suggest the recited limitations of claim 45 and does not discuss any such functionality. The Examiner alleges that Drysdale teaches or suggests these limitations at paragraphs 0031 and 0032. However, Appellant cannot identify any description or discussion in the Examiner's cited passage, or anywhere in Drysdale, that relate to the limitations. Paragraphs 0031 and 0032 of Drysdale describe the process of Figure 4, which does not include any user identification system as recited by Appellant in claim 45. The process of Figure 4 as described in paragraphs 0031 and 0032 of Drysdale sends a targeted communication to a user in response to the entry of user specific information into the personal wireless device. It is noted in paragraph 0033 of Drysdale that user specific information relates to a user's clothing sizes and color, fabric, and style preferences, which information does not relate to the identification of a user. Furthermore, the Examiner has been asked to specifically identify the passage in Drysdale that the Examiner believes teaches the limitation, but the Examiner has not yet identified any specific passage in Drysdale that teaches the limitations. Thus, since Drysdale does not teach or suggest all of the limitations recited in claim 45, Appellant respectfully submits that Drysdale does not anticipate Appellant's invention as recited in claim 45.

With regard to claims 47 and 72, which recite that the user identification system comprises a substrate reader, and reading a loyalty card of a user with a personal display unit, the Examiner has stated:

7. As per claim 47, 72, Drysdale et al teach a system for providing personalized information wherein the user identification system comprises a substrate reader, and the substrate reader is configured to obtain identifying information on the user from a loyalty card provided to the substrate reader by the user (see paragraphs 0032, 0033).

In response, Drysdale, as understood by Appellant, does not teach or suggest the recited limitations of claims 47 and 72 and does not discuss any such functionality. The Examiner alleges that Drysdale teaches or suggests these limitations at paragraphs 0032 and 0033. However, Appellant cannot identify any description or discussion in the Examiner's cited passage, or anywhere in Drysdale, that relates to the limitations. Paragraphs 0032 and 0033 of Drysdale describe the process of Figure 4 and do not include any description of a substrate reader or loyalty card as recited by Appellant in claims 47 and 72. The process of Figure 4 as described in paragraphs 0031-0033 of Drysdale sends a targeted communication to a user in response to the entry of user specific information into the personal wireless device. Furthermore, the Examiner has been asked to specifically identify the passage in Drysdale that the Examiner believes teaches the limitations, but the Examiner has not yet identified any specific passage in Drysdale that teaches the limitations. Thus, since Drysdale does not teach or suggest all of the limitations recited in claims 47 and 72, Appellant respectfully submits that Drysdale does not anticipate Appellant's invention as recited in claims 47 and 72.

With regard to claims 48 and 73, which recite that the user identification system includes the user interface of the portable display unit, and entering, by a user, a personal identification number and associated password into the portable display unit, respectively, the Examiner has stated:

8. As per claim 48, 73, Drysdale et al teach a system for providing personalized information wherein the user identification system includes the user interface of the portable display unit, the user interface being configured for a user to enter a personal identification number and associated password into the portable display unit (*see paragraphs 0032, 0033*).

In response, Drysdale, as understood by Appellant, does not teach or suggest the recited limitations of claims 48 and 73 and does not discuss any such functionality. The Examiner alleges that Drysdale teaches or suggests these limitations at paragraphs 0032 and 0033. However, Appellant cannot identify any description or discussion in the Examiner's cited passage, or anywhere in Drysdale, that relates to the limitations. Paragraphs 0032 and 0033 of Drysdale describe the process of Figure 4 and do not include any description of a user identification system including a user interface and entering a personal identification number and

associated password as recited by Appellant in claims 48 and 73. The process of Figure 4 as described in paragraphs 0031-0033 of Drysdale sends a targeted communication to a user in response to the entry of user specific information into the personal wireless device. Furthermore, the Examiner has been asked to specifically identify the passage in Drysdale that the Examiner believes teaches the limitations, but the Examiner has not yet identified any specific passage in Drysdale that teaches the limitations. Thus, since Drysdale does not teach or suggest all of the limitations recited in claims 48 and 73, Appellant respectfully submits that Drysdale does not anticipate Appellant's invention as recited in claims 48 and 73.

With regard to claims 49 and 76, which recite that the personalized information includes a personalized shopping list, and transmitting a personalized shopping list, respectively, the Examiner has stated:

9. As per claim 49, 76, Drysdale et al teach a system for providing personalized information wherein the personalized information includes a personalized shopping list (*see paragraphs 0032, 0033*).

In response, Drysdale, as understood by Appellant, does not teach or suggest the recited limitations of claims 49 and 76 and does not discuss any such functionality. The Examiner alleges that Drysdale teaches or suggests these limitations at paragraphs 0032 and 0033. However, Appellant cannot identify any description or discussion in the Examiner's cited passage, or anywhere in Drysdale, that relates to the limitations. Paragraphs 0032 and 0033 of Drysdale describe the process of Figure 4 and do not include any description of a personalized shopping list as recited by Appellant in claims 49 and 76. The process of Figure 4 as described in paragraphs 0031-0033 of Drysdale sends a targeted communication to a user in response to the entry of user specific information into the personal wireless device. Furthermore, the Examiner has been asked to specifically identify the passage in Drysdale that the Examiner believes teaches the limitations, but the Examiner has not yet identified any specific passage in Drysdale that teaches the limitations. Thus, since Drysdale does not teach or suggest all of the limitations recited in claims 49 and 76, Appellant respectfully submits that Drysdale does not anticipate Appellant's invention as recited in claims 49 and 76.

With regard to claims 50 and 77, which recite that the personalized information further includes information on products on the personalized shopping list that are located in proximity to the location of the portable display unit, and transmitting information on products on the personalized shopping list that are located in proximity to the location of the portable display unit, respectively, the Examiner has stated:

10. As per claim 50, 77, Drysdale et al teach a system for providing personalized information wherein the personalized information further includes information on products on the personalized shopping list that are located in proximity to the location of the portable display unit (*see paragraphs 0032, 0033*).

In response, Drysdale, as understood by Appellant, does not teach or suggest the recited limitations of claims 50 and 77 and does not discuss any such functionality. The Examiner alleges that Drysdale teaches or suggests these limitations at paragraphs 0032 and 0033. However, Appellant cannot identify any description or discussion in the Examiner's cited passage, or anywhere in Drysdale, that relates to the limitations. Paragraphs 0032 and 0033 of Drysdale describe the process of Figure 4 and do not include any description of information on products on the personalized shopping list that are located in proximity to the location of the portable display unit as recited by Appellant in claims 50 and 77. The process of Figure 4 as described in paragraphs 0031-0033 of Drysdale sends a targeted communication to a user in response to the entry of user specific information into the personal wireless device. In addition, Drysdale does not even describe a location tracking system as discussed in greater detail above with regard to claims 44 and 68. Furthermore, the Examiner has been asked to specifically identify the passage in Drysdale that the Examiner believes teaches the limitations, but the Examiner has not yet identified any specific passage in Drysdale that teaches the limitations. Thus, since Drysdale does not teach or suggest all of the limitations recited in claims 50 and 77, Appellant respectfully submits that Drysdale does not anticipate Appellant's invention as recited in claims 50 and 77.

With regard to claim 54, which recites that the information related to a user includes a shopping history of the identified user, the Examiner has stated:

14. As per claim 54, Drysdale et al teach a system for providing personalized information wherein the information related to a user includes a shopping history of the identified user (*see paragraphs 0032, 0033*).

In response, Drysdale, as understood by Appellant, does not teach or suggest the recited limitations of claim 54 and does not discuss any such functionality. The Examiner alleges that Drysdale teaches or suggests these limitations at paragraphs 0032 and 0033. However, Appellant cannot identify any description or discussion in the Examiner's cited passage, or anywhere in Drysdale, that relates to the limitations. Paragraphs 0032 and 0033 of Drysdale describe the process of Figure 4 and do not include any description of information related to a user including a shopping history of a user as recited by Appellant in claim 54. The process of Figure 4 and described in paragraphs 0031-0033 of Drysdale sends a targeted communication to a user in response to the entry of user specific information into the personal wireless device. It is noted in paragraph 0033 of Drysdale that user specific information relates to a user's clothing sizes and color, fabric, and style preferences, which information does not relate to the shopping history of a user. Furthermore, the Examiner has been asked to specifically identify the passage in Drysdale that the Examiner believes teaches the limitations, but the Examiner has not yet identified any specific passage in Drysdale that teaches the limitations. Thus, since Drysdale does not teach or suggest all of the limitations recited in claim 54, Appellant respectfully submits that Drysdale does not anticipate Appellant's invention as recited in claim 54.

With regard to claims 55 and 69, which recite that the location tracking system further comprises a position calculating system for calculating position data relating to a location of the portable display unit in a commercial establishment using the unique identifier of the portable display unit, and calculating the location of the portable display unit system using the unique identification signal of the portable display unit, respectively, the Examiner has stated:

15. As per claim 55 and 69, Drysdale et al teach a system for providing personalized information wherein the location tracking system further comprises at least one receiver for receiving a unique identifier transmitted by the portable display unit, a position calculating system for calculating position data relating to a location of the portable display unit in a commercial establishment using the unique identifier of the portable display unit received by the at least one receiver; and at least one controller for transmitting position data relating to the location of the portable display unit generated by the position calculating system to the server computer (*see figs 1, paragraphs 0025-0032*).

In response, Drysdale, as understood by Appellant, does not teach or suggest the recited limitations of claims 55 and 69 and does not discuss any such functionality. The Examiner alleges that Drysdale teaches or suggests these limitations at paragraphs 0025-0032. However, Appellant cannot identify any description or discussion in the Examiner's cited passage, or anywhere in Drysdale, that relates to the limitations. Paragraphs 0025-0032 of Drysdale describe the process of Figures 1-4 and do not include any description of the location tracking system having a position calculating system using the unique identifier to calculate position data as recited by Appellant in claims 55 and 69. The process of Figures 1-4 as described in paragraphs 0025-0032 of Drysdale sends a targeted communication to a user upon entering the merchant facility in response to the entry of user specific information into the personal wireless device. In addition, Drysdale does not even describe a location tracking system as discussed in greater detail above with regard to claims 44 and 68. Furthermore, the Examiner has been asked to specifically identify the passage in Drysdale that the Examiner believes teaches the limitations, but the Examiner has not yet identified any specific passage in Drysdale that teaches the limitations. Thus, since Drysdale does not teach or suggest all of the limitations recited in claims 55 and 69, Appellant respectfully submits that Drysdale does not anticipate Appellant's invention as recited in claims 55 and 69.

With regard to claims 56 and 70, which recite calculating the location of the portable display unit in a commercial establishment by at least one of biangulation techniques or triangulation techniques, the Examiner has stated:

16. As per claim 56 and 70, Drysdale et al teach a system for providing personalized information wherein the position calculating system calculates the position data relating to the location of the portable display unit in a commercial establishment by at least one of biangulation techniques or triangulation techniques (*see figs 1, paragraphs 0025-0032*).

In response, Drysdale, as understood by Appellant, does not teach or suggest the recited limitations of claims 56 and 70 and does not discuss any such functionality. The Examiner alleges that Drysdale teaches or suggests these limitations at paragraphs 0025-0032. However, Appellant cannot identify any description or discussion in the Examiner's cited passage, or anywhere in Drysdale, that relates to the limitations. Paragraphs 0025-0032 of Drysdale describe the process of Figures 1-4 and do not include any description of the use of biangulation or triangulation techniques as recited by Appellant in claims 56 and 70. The process of Figures 1-4 as described in paragraphs 0025-0032 of Drysdale sends a targeted communication to a user upon entering the merchant facility in response to the entry of user specific information into the personal wireless device. In addition, Drysdale does not even describe a location tracking system as discussed in greater detail above with regard to claims 44 and 68. Furthermore, the Examiner has been asked to specifically identify the passage in Drysdale that the Examiner believes teaches the limitations, but the Examiner has not yet identified any specific passage in Drysdale that teaches the limitations. Thus, since Drysdale does not teach or suggest all of the limitations recited in claims 56 and 70, Appellant respectfully submits that Drysdale does not anticipate Appellant's invention as recited in claims 56 and 70.

With regard to claims 57 and 58, which recite that the unique identifier of the portable display unit includes a radio frequency (RF) identification signal or an infrared identification signal, the Examiner has stated:

17. As per claim 57, Drysdale et al teach a system for providing personalized information wherein the unique identifier of the portable display unit includes a radio frequency (RF) identification signal (*see figs 1, paragraphs 0025-0032*).

18. As per claim 58, Drysdale et al teach a system for providing personalized information wherein the unique identifier of the portable display unit includes an infrared identification signal (*see figs 1, paragraphs 0025-0032*).

In response, Drysdale, as understood by Appellant, does not teach or suggest the recited limitations of claims 57 and 58 and does not discuss any such functionality. The Examiner alleges that Drysdale teaches or suggests these limitations at paragraphs 0025-0032. However, Appellant cannot identify any description or discussion in the Examiner's cited passage, or anywhere in Drysdale, that relates to the limitations. Paragraphs 0025-0032 of Drysdale describe the process of Figures 1-4 and do not include any description of the use of an infrared or radio frequency identifier signal as recited by Appellant in claims 57 and 58. The process of Figures 1-4 as described in paragraphs 0025-0032 of Drysdale sends a targeted communication to a user upon entering the merchant facility in response to the entry of user specific information into the personal wireless device. In addition, Drysdale does not even describe a unique identifier as discussed in greater detail above with regard to claims 44 and 68. Furthermore, the Examiner has been asked to specifically identify the passage in Drysdale that the Examiner believes teaches the limitations, but the Examiner has not yet identified any specific passage in Drysdale that teaches the limitations. Thus, since Drysdale does not teach or suggest all of the limitations recited in claims 57 and 58, Appellant respectfully submits that Drysdale does not anticipate Appellant's invention as recited in claims 57 and 58.

With regard to claims 59 and 60, which recite that the at least one receiver includes a plurality of transponders or a plurality of transceivers located at discrete locations throughout a commercial establishment, the Examiner has stated:

19. As per claim 59, Drysdale et al teach a system for providing personalized information wherein the at least one receiver includes a plurality of transponders located at discrete locations throughout a commercial establishment (*see figs 1, paragraphs 0025-0032*).

20. As per claim 60, Drysdale et al teach a system for providing personalized information wherein the wherein the at least one receiver includes a plurality of transceivers located at discrete locations throughout a commercial establishment (*see figs 1, paragraphs 0025-0032*).

In response, Drysdale, as understood by Appellant, does not teach or suggest the recited limitations of claims 59 and 60 and does not discuss any such functionality. The Examiner alleges that Drysdale teaches or suggests these limitations at paragraphs 0025-0032. However, Appellant cannot identify any description or discussion in the Examiner's cited passage, or

anywhere in Drysdale, that relates to the limitations. Paragraphs 0025-0032 of Drysdale describe the process of Figures 1-4 and do not include any description of a plurality of transponders or a plurality of transceivers as recited by Appellant in claims 59 and 60. The process of Figures 1-4 as described in paragraphs 0025-0032 of Drysdale sends a targeted communication to a user upon entering the merchant facility in response to the entry of user specific information into the personal wireless device. In addition, Drysdale discusses a facility communication system that includes a proximity sensor (*See Drysdale, paragraph 0026*), but does not describe the use of a plurality of transceivers or transponders as recited by Appellant. Furthermore, the Examiner has been asked to specifically identify the passage in Drysdale that the Examiner believes teaches the limitations, but the Examiner has not yet identified any specific passage in Drysdale that teaches the limitations. Thus, since Drysdale does not teach or suggest all of the limitations recited in claims 59 and 60, Appellant respectfully submits that Drysdale does not anticipate Appellant's invention as recited in claims 59 and 60.

With regard to claim 62, which recites that the portable display unit comprises a scanning device and the scanning device is configured to read product barcodes scanned by the identified user, the Examiner has stated:

22. As per claim 62, Drysdale et al teach a system for providing personalized information wherein the portable display unit comprises a scanning device and the scanning device is configured to read product barcodes scanned by the identified user (*see figs 1, paragraphs 0025-0032*).

In response, Drysdale, as understood by Appellant, does not teach or suggest the recited limitations of claim 62 and does not discuss any such functionality. The Examiner alleges that Drysdale teaches or suggests these limitations at paragraphs 0025-0032. However, Appellant cannot identify any description or discussion in the Examiner's cited passage, or anywhere in Drysdale, that relates to the limitations. Paragraphs 0025-0032 of Drysdale describe the process of Figures 1-4 and do not include any description of a scanning device for reading product barcodes as recited by Appellant in claim 62. The process of Figures 1-4 as described in paragraphs 0025-0032 of Drysdale sends a targeted communication to a user upon entering the merchant facility in response to the entry of user specific information into the personal wireless

device. Furthermore, the Examiner has been asked to specifically identify the passage in Drysdale that the Examiner believes teaches the limitations, but the Examiner has not yet identified any specific passage in Drysdale that teaches the limitations. Thus, since Drysdale does not teach or suggest all of the limitations recited in claim 62, Appellant respectfully submits that Drysdale does not anticipate Appellant's invention as recited in claim 62.

With regard to claims 65 and 80, which recite transmitting the personalized information to the portable display unit as a web page using hypertext markup language, the Examiner has stated:

25. As per claim 65, 80, Drysdale et al teach a system for providing personalized information wherein the at least one transceiver transmits the personalized information to the portable display unit as a web page using hypertext markup language (*see figs 1, paragraphs 0025-0032*).

In response, Drysdale, as understood by Appellant, does not teach or suggest the recited limitations of claims 65 and 80 and does not discuss any such functionality. The Examiner alleges that Drysdale teaches or suggests these limitations at paragraphs 0025-0032. However, Appellant cannot identify any description or discussion in the Examiner's cited passage, or anywhere in Drysdale, that relates to the limitations. Paragraphs 0025-0032 of Drysdale describe the process of Figures 1-4 and do not include any description of transmitting a web page in hypertext markup language as recited by Appellant in claims 65 and 80. The process of Figures 1-4 as described in paragraphs 0025-0032 of Drysdale sends a targeted communication to a user upon entering the merchant facility in response to the entry of user specific information into the personal wireless device. Furthermore, the Examiner has been asked to specifically identify the passage in Drysdale that the Examiner believes teaches the limitations, but the Examiner has not yet identified any specific passage in Drysdale that teaches the limitations. Thus, since Drysdale does not teach or suggest all of the limitations recited in claims 65 and 80, Appellant respectfully submits that Drysdale does not anticipate Appellant's invention as recited in claims 65 and 80.

With regard to claim 66, which recites that the server computer is configured to permit a user to access the Internet using the portable display unit, the Examiner has stated:

26. As per claim 66, Drysdale et al teach a system for providing personalized information wherein the server computer is configured to permit a user to access the Internet using the portable display unit (*see figs 1, paragraphs 0025-0032*).

In response, Drysdale, as understood by Appellant, does not teach or suggest the recited limitations of claim 66 and does not discuss any such functionality. The Examiner alleges that Drysdale teaches or suggests these limitations at paragraphs 0025-0032. However, Appellant cannot identify any description or discussion in the Examiner's cited passage, or anywhere in Drysdale, that relates to the limitations. Paragraphs 0025-0032 of Drysdale describe the process of Figures 1-4 and do not include any description of permitting a user access to the Internet as recited by Appellant in claim 66. The process of Figures 1-4 as described in paragraphs 0025-0032 of Drysdale sends a targeted communication to a user upon entering the merchant facility in response to the entry of user specific information into the personal wireless device. Furthermore, the Examiner has been asked to specifically identify the passage in Drysdale that the Examiner believes teaches the limitations, but the Examiner has not yet identified any specific passage in Drysdale that teaches the limitations. Thus, since Drysdale does not teach or suggest all of the limitations recited in claim 66, Appellant respectfully submits that Drysdale does not anticipate Appellant's invention as recited in claim 66.

B. Conclusion

In view of the above, Appellant respectfully requests a favorable action on this pending Appeal and withdrawal of the outstanding rejections. As a result of the remarks presented herein, Appellant respectfully submits that claims 44-80 are not anticipated by, nor rendered obvious by Drysdale and thus, are in condition for allowance.

8. ***APPENDIX***

Appendix I containing a copy of the claims involved in the appeal is attached hereto.

Respectfully submitted,
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By



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Dated: October 25, 2004

APPENDIX I

Clean Copy of Appealed Claims

44. A system for providing personalized information to a user in a commercial establishment, the system comprising:

- at least one database storing information related to a user;

- a portable display unit operated by a user in a commercial establishment, the portable display unit having a unique identifier, and the portable display unit comprising a transceiver, at least one database, a user interface, a display screen, a microprocessor, and at least one program executable by the microprocessor to enable the portable display unit to receive, store, and display information to a user in a commercial establishment;

- a location tracking system to determine a location of the portable display unit in a commercial establishment;

- a server computer, the server computer being in communication with the location tracking system and the at least one database and the server computer being configured to generate personalized information for a user in a commercial establishment based on the location of the portable display unit and the information related to a user stored in the at least one database; and

- at least one transceiver in communication with the server computer for transmitting the personalized information generated by the server computer to the portable display unit.

45. The system for providing personalized information of claim 44 wherein:

- the portable display unit comprises a user identification system to determine an identity of a user operating the portable display unit; and

- the server computer is configured to generate personalized information for an identified user based on the location of the portable display unit, the identity of the user and the information related to a user stored in the at least one database.

46. The system for providing personalized information of claim 45 wherein the information related to a user includes at least one of a demographic profile of the identified user and a shopping history of the identified user.

47. The system for providing personalized information of claim 46 wherein the user identification system comprises a substrate reader, and the substrate reader is configured to obtain identifying information on the user from a loyalty card provided to the substrate reader by the user.

48. The system for providing personalized information of claim 46 wherein the user identification system includes the user interface of the portable display unit, the user interface being configured for a user to enter a personal identification number and associated password into the portable display unit.

49. The system for providing personalized information of claim 46 wherein the personalized information includes a personalized shopping list.

50. The system for providing personalized information of claim 49 wherein the personalized information further includes information on products on the personalized shopping list that are located in proximity to the location of the portable display unit.

51. The system for providing personalized information of claim 46 wherein the information related to a user further includes at least one selected from a group consisting of targeted advertisements, health information, nutritional information, promotional offers, offers on sale items, offers on discounted items, information on similar or associated items, manufacturer's coupons, storewide coupons, information on user specific favorite items, and information on user specific staple items.

52. The system for providing personalized information of claim 46 wherein the information related to a user includes the demographic profile of the identified user.

53. The system for providing personalized information of claim 52 wherein the demographic profile of the identified user is determined from a questionnaire completed by the identified user.

54. The system for providing personalized information of claim 46 wherein the information related to a user includes a shopping history of the identified user.

55. The system for providing personalized information of claim 44 wherein the location tracking system further comprises:

at least one receiver for receiving a unique identifier transmitted by the portable display unit;

a position calculating system for calculating position data relating to a location of the portable display unit in a commercial establishment using the unique identifier of the portable display unit received by the at least one receiver; and

at least one controller for transmitting position data relating to the location of the portable display unit generated by the position calculating system to the server computer.

56. The system for providing personalized information of claim 55 wherein the position calculating system calculates the position data relating to the location of the portable display unit in a commercial establishment by at least one of biangulation techniques or triangulation techniques.

57. The system for providing personalized information of claim 55 wherein the unique identifier of the portable display unit includes a radio frequency (RF) identification signal.

58. The system for providing personalized information of claim 55 wherein the unique identifier of the portable display unit includes an infrared identification signal.

59. The system for providing personalized information of claim 55 wherein the at least one receiver includes a plurality of transponders located at discrete locations throughout a commercial establishment.

60. The system for providing personalized information of claim 55 wherein the wherein the at least one receiver includes a plurality of transceivers located at discrete locations throughout a commercial establishment.

61. The system for providing personalized information of claim 44 wherein the at least one transceiver includes a plurality of transceivers located at discrete locations throughout a commercial establishment.

62. The system for providing personalized information of claim 44 wherein the portable display unit comprises a scanning device and the scanning device is configured to read product barcodes scanned by the identified user.

63. The system for providing personalized information of claim 44 wherein the at least one transmitter transmits the personalized information to the portable display unit using a wireless local area net.

64. The system for providing personalized information of claim 44 wherein:

- the portable display unit further includes a microphone and a speaker;
- the server computer is configured to generate audio signals incorporating the personalized information for a user; and
- the microprocessor of the portable display unit is configured to play on the speaker the audio signals incorporating the personalized information.

65. The system for providing personalized information of claim 44 wherein the at least one transceiver transmits the personalized information to the portable display unit as a web page using hypertext markup language.

66. The system for providing personalized information of claim 44 wherein the server computer is configured to permit a user to access the Internet using the portable display unit.

67. The system for providing personalized information of claim 44 wherein the transceiver of the portable display unit and the at least one transceiver are wirelessly connected to permit two-way communication between the portable display unit and the server computer.

68. A method of providing personalized information to a user in a commercial establishment, comprising the steps of:

- storing information related to a user in at least one database;
- determining a location of a user in a commercial establishment with a location tracking system;
- generating personalized information for a user in a commercial establishment based on the location of a user in a commercial establishment and the information related to a user stored in the at least one database; and
- transmitting the generated personalized information to a portable display unit operated by a user in a commercial establishment, the portable display unit being assigned a unique identification signal and having a transceiver, at least one database, a user interface, a display screen, a microprocessor, and at least one program executable by the microprocessor to

enable the portable display unit to receive, store, and display the personalized information to a user in a commercial establishment.

69. The method of claim 68 wherein the step of determining a location of a user in a commercial establishment includes the steps of:

receiving the unique identification signal of the portable display unit operated by a user;
and

calculating the location of the portable display unit using the received unique identification signal of the portable display unit.

70. The method of claim 69 wherein the step of calculating the location of the portable display unit includes calculating the location of the portable display unit by one of biangulation techniques and triangulation techniques using the received unique identification signal.

71. The method of claim 69 further comprising the step of identifying a user in a commercial establishment and wherein the step of generating personalized information for a user includes generating personalized information for a user based on the location of a user in a commercial establishment, an identity of a user and the information related to a user stored in the at least one database.

72. The method of claim 71 wherein the step of identifying a user includes reading a loyalty card of a user with the portable display unit.

73. The method of claim 71 wherein the step of identifying a user includes:

entering, by a user, a personal identification number and associated password into the portable display unit; and

authenticating the personal identification number and associated password entered by a user.

74. The method of claim 71 wherein the step of generating personalized information for a user in a commercial establishment includes generating personalized information for a user in a commercial establishment based on the location of a user in a commercial establishment, the identity of the user and at least one of a demographic profile of the identified user and a shopping history of the identified user.

75. The method of claim 74 wherein step of generating personalized information for a user in a commercial establishment includes generating personalized information for a user in a commercial establishment based on the location of a user in a commercial establishment, the identity of the user, at least one of a demographic profile of the identified user and a shopping history of the identified user, and at least one selected from a group consisting of targeted advertisements, health information, nutritional information, promotional offers, offers on sale items, offers on discounted items, information on similar or associated items, manufacturer's coupons, storewide coupons, information on user specific favorite items, and information on user specific staple items.

76. The method of claim 71 wherein the step of transmitting the generated personalized information to a portable display unit includes transmitting a personalized shopping list to a portable display unit.

77. The method of claim 76 wherein the step of transmitting the generated personalized information to a portable display unit includes transmitting information on products on the personalized shopping list that are located in proximity to the location of the portable display unit.

78. The method of claim 71 wherein the step of transmitting the generated personalized information to a portable display unit includes transmitting the personalized information to the portable display unit using a wireless local area net.

79. The method of claim 71 wherein the step of transmitting the generated personalized information to a portable display unit includes transmitting audio signals incorporating the personalized information to the portable display unit for play on a speaker of the portable display unit.

80. The method of claim 71 wherein the step of transmitting the generated personalized information to a portable display unit includes transmitting the personalized information to the portable display unit as a web page using hypertext markup language.

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